

ORDINANCE 123022

AN ORDINANCE relating to historic preservation, imposing controls upon the Cooper House, a landmark designated by the Landmark Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of sites, improvements and objects having historical, cultural, architectural, engineering or geographic significance; and

WHEREAS, the Landmarks Preservation Board ("the Board"), after a public meeting on September 21, 2005, voted to approve the nomination of both the improvement (the building) and the parcel of property located at 225 and 227 14th Avenue East in Seattle, which improvement and property are collectively referred to as the "Cooper House" for the purposes of this ordinance, for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on November 2, 2005, the Board voted to approve the designation of the Cooper House under SMC Chapter 25.12; and

WHEREAS, on February 6, 2008, the Board and the owner of the designated landmark agreed to controls and incentives; and

WHEREAS, the Board recommends that the City Council enact a designating ordinance approving the controls and incentives;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. DESIGNATION: Pursuant to SMC 25.12.660, the designation by the Landmarks Preservation Board ("the Board") of both the improvement (the building) and the parcel of property located at 225 and 227 14th Avenue East in Seattle, which improvement and property are collectively referred to as the "Cooper House" for the purposes of this ordinance, is hereby acknowledged.

1 A. Legal Description. The Cooper House site is legally described as:

2 Lot 8, Block 55, John H. Nagle's Second Addition to the City of Seattle,
3
4 according to the Plat thereof recorded in Volume 5 of Plats, page 67, records of King
5 County, Washington.

6 B. Specific Features and /or Characteristics Designated. Pursuant to SMT
7
8 25.12.660A2, the following specific features and/or characteristics of the Cooper House are
9 designated:

- 10
11 1. The exterior of the improvement (the building).
12
13 2. The parcel of property legally described above, located at 225 and 227 14th
14 Avenue East in Seattle, on which the improvement is located.

15 C. Basis of Designation. The designation was made because the Cooper House has
16
17 significant character, interest or value as a part of the development, heritage or cultural
18 characteristics of the City, state or nation, it has integrity or the ability to convey its significance,
19 and because it satisfies the following from Section 25.12.350:

- 20
21 1. It embodies the distinctive visible characteristics of an architectural style, period,
22 or of a method of construction (SMC 25.12.350D).
23
24 2. It is an outstanding work of a designer or builder (SMC 25.12.350E).

3. Because of its prominence of spatial location, contrasts of siting, age or scale, it is an easily identifiable visual feature of its neighborhood or the City and contributes to the distinctive quality or identity of such neighborhood or the City (SMC 25.12.350F).

Section 2. CONTROLS: The following controls are hereby imposed on the features and characteristics of the Cooper House that were designated by the Board for preservation:

A. Certificate of Approval Process.

1. Except as provided in Section 2.A.2 of this Ordinance, the owner must obtain a Certificate of Approval issued by the Board pursuant to SMC Chapter 25.12, or the time for denying a Certificate of Approval must have expired, before the owner may make alterations or significant changes to the following specific features or characteristics:

- a. The exterior of the improvement (the building).
- b. The parcel of property legally described above, located at 225 and 227 14th Avenue East in Seattle, on which the improvement is located.

2. No Certificate of Approval or approval by the City Historic Preservation Officer (CHPO) is required for the following:

- a. Any in-kind maintenance or repairs of the features listed in Section 2.A.1.
- b. The removal or addition of shrubs, perennials and annuals.

B. City Historic Preservation Office (CHPO) Approval Process.

1. The CHPO may review and approve the items listed in Section 2.B.3 of this Ordinance according to the following procedure:

- a. The owner shall submit to the City Historic Preservation Officer (CHPO) a written request for the alterations, including applicable drawings and/or specifications.
 - b. If the CHPO, upon examination of submitted plans and specifications, determines that the alterations are consistent with the purposes of SMC Chapter 25.12, the alterations shall be approved without further action by the Board.
 - c. If the CHPO does not approve the alterations, the owner may submit revised materials to the CHPO, or apply to the Board for a Certificate of Approval under SMC Chapter 25.12, as provided in Section 2.A.
2. The CHPO shall transmit a written decision on the owner's request to the owner within 14 days of receipt of the request. Failure of the CHPO to approve or disapprove the request shall constitute approval of the request.
 3. CHPO approval for changes or alterations to the designated features or characteristics of the landmark described in Section 1.B of this Ordinance is available for the following:
 - a. The addition or elimination of duct conduits, HVAC vents, grilles, fire escapes, pipes, and other similar wiring or mechanical elements necessary for the normal operation of the building and site.
 - b. Alterations to the rear (west) façade, including changes to the guard rails, windows and doors.

c. The following revisions and additions as required by building code for the change in land use:

1. A garbage enclosure located at the east end of the driveway; and
2. The installation of an accessible knox-box entry system at the entrance per the Fire Department's request.

Section 3. INCENTIVES: The following incentives are hereby granted on the features and characteristics of the Cooper House that were designated by the Board for preservation:

A. Uses not otherwise permitted in a zone may be authorized in a designated Landmark by means of an administrative conditional use issued pursuant to Seattle Municipal Code Title 23.

B. Exceptions to certain of the requirements of the Seattle Building Code, SMC Chapter 22.100 and the Energy Code of the City, SMC Chapter 22.700 may be authorized pursuant to the applicable provisions thereof.

C. Special tax valuation for historic preservation may be available under Chapter 84.26 RCW upon application and compliance with the requirements of that statute.

Section 4. Enforcement of this ordinance and penalties for its violation are as provided in SMC 25.12.910.

Section 5. The Cooper House is hereby added to the Table of Historical Landmarks contained in SMC Chapter 25.32.


Section 6. The City Clerk is directed to record a certified copy of this ordinance with the King County Director of Records and Elections, deliver two certified copies to the City Historic Preservation Officer, and deliver one copy to the Director of the Department of Planning and

Development. The CHPO is directed to provide a certified copy of the ordinance to the owner of the landmark.

Section 7. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

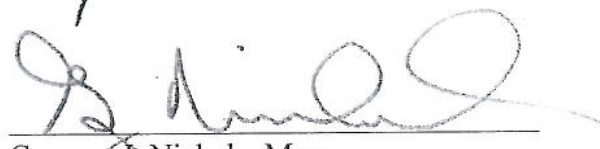
Passed by the City Council the 29 day of June, 2009, and signed by me in open session in authentication of its passage this

29 day of June, 2009.



President _____ of the City Council

Approved by me this 8th day of July, 2009.



Gregory J. Nickels, Mayor

Filed by me this 8th day of July, 2009.

STATE OF WASHINGTON } SS
COUNTY OF KING
CITY OF SEATTLE

(Seal) I, JUDITH E. PIPPIN, CITY CLERK OF THE CITY OF SEATTLE, DO HEREBY
CERTIFY THAT THE VOTING AND FORFEITING IS A TRUE AND CORRECT
COPY OF

Ordinance No. 123022

AS THE SAME APPEARS ON FILE, AND OF RECORD IN THIS DEPARTMENT

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED
THE SEAL TO THE CITY OF SEATTLE, THIS 15th of July 2009.

JUDITH E. PIPPIN
CITY CLERK

BY 
DEPUTY CLERK